

DRAFT

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL WORK SESSION

September 13, 2016

Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254

5:30 PM Executive Session

6:00 PM Work Session

7:30 PM Regular Meeting

Present: Mayor Mayor Meier; Mayor Pro Tempore Arfsten; Deputy Mayor Pro Tempore Hughes; Councilmember Angell; Councilmember Duffy; Councilmember Walden; Councilmember Wilcox

Executive Session

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1. Closed (executive) session of the Addison City Council pursuant to:

Section 551.071, Tex. Gov. Code, to conduct a private consultation with its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Tex. Gov. Code, pertaining to

- **Addison Grove Incentive Agreement**
- **Open Meetings Act**

Section 551.072, Tex. Gov. Code, to deliberate the purchase, exchange, lease, or value of real property, pertaining to

- **4545 Eddie Rickenbacker**

Council convened into Executive Session at 5:17 pm.

2. **RECONVENE INTO REGULAR SESSION:** In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to consider action, if any, on matter discussed in Executive Session.

Council recessed from Executive Session at 6:14 pm.

In regards to the item 4545 Eddie Rickenbacker, Mayor Pro Tem Arfsten moved to direct Town staff and Airport staff to continue with negotiations with Western LLC using the provisions included in the Letter of Intent. Councilmember Duffy seconded the motion. The vote was cast 7-0 in favor of the motion.

WORK SESSION

3. Present And Discuss The **Upcoming Planning & Zoning Commission And Board Of Zoning Adjustment Appointment Process.**

City Secretary, Laura Bell, presented the item to Council. Ms. Bell stated that there are 3 members up for appointment on both the Planning & Zoning Commission and the Board of Zoning Adjustment. The new process for appointments was approved by Council earlier in 2016.

Ms. Bell stated that anyone interested should apply by October 15, 2016. Applications are available at Town Hall in paper form and will be online through a link. Ms. Bell will forward that link to Council by the end of the week. The link will also be available online through the Town's website.

Councilmembers Angell, Duffy and Walden will have the appointments for these members. The names will come back at the second meeting in October for discussion. A Resolution appointing the members will be on the meeting agenda in November. The new terms will begin January 2017.

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4. Present And Discuss The **Opportunity To Work With Private Service Providers To Increase Broadband Connectivity, Reliability, Speed And Cost To Addison.**

Director of Economic Development, Orlando Campos and Interim Deputy City Manager/IT Director, Hamid Khaligephour, presented the item to Council.

Council asked questions regarding the possibility of this project and how it would affect the business community, residents and visitors to Addison.

REGULAR MEETING

Pledge of Allegiance

Announcements and Acknowledgements regarding Town and Council Events and Activities

Discussion of Events/Meetings

Public Comment.

The City Council invites citizens to address the City Council on any topic not on this agenda. Please fill out a **City Council Appearance Card** and submit it to a city staff member prior to Public Participation. Speakers are allowed **up to three (3) minutes per speaker** with **fifteen (15) total minutes** on items of interest or concern and not on items that are on the current agenda. In accordance with the Texas Open Meetings Act, the City Council cannot take action on items not listed on the agenda. The Council may choose to place the item on a future agenda.

Neil Hewitt, 3756 Park Place, spoke regarding the stop sign ordinance and possible revisions he would like to see.

Sheila Barkofske, 4130 Proton Dr. #26B, spoke of her concerns regarding the COLA and unfunded liability.

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6. **Present A Proclamation Declaring September 2016 As Blood Cancer Awareness Month In Addison, Texas.**
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Consent Agenda:

All items listed under the Consent Agenda are considered routine by the City Council and will be enacted by one motion with no individual consideration. If individual consideration of an item is requested, it will be pulled from the Consent Agenda and discussed separately.

Deputy Mayor Pro Tem Hughes asked to pull Item #7 for separate consideration.

Mayor Meier asked to pull Item #8 for separate consideration.

Mayor Pro Tem Arfsten moved to approve Items 9-12 as submitted. Deputy Mayor Pro Tem Hughes seconded the motion. The vote was cast 7-0 in favor of the motion.

Item #7-Deputy Mayor Pro Tem Hughes stated that he would like to clarify the statement in the minutes regarding the funding amount to Metrocrest. He would like to change the sentence from: "Council directed staff to include funding for Metrocrest at the requested \$2,000 level in the 2016-2017 budget." to "Council directed staff to include funding for the Metrocrest Community Clinic at the requested additional \$2,000 level in the 2016-2017 budget."

Deputy Mayor Pro Tem Hughes moved to approve Item #7 with the suggested edit. Mayor Pro Tem Arfsten seconded the motion. The vote was cast 7-0 in favor of the motion.

Item #8- Mayor Meier asked Deputy City Manager Cheryl Delaney some clarifying questions about the safe deposit box and former signers on the account.

Mayor Meier moved to approve Item #8. Mayor Pro Tem Arfsten seconded the motion. The vote was cast 7-0 in favor of the motion.

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7. Consider **Approval Of The August 15 And August 30, 2016 Meeting Minutes.**

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8. Consider A **Resolution Designating New Signers To Access The Town Of Addison Safe Deposit Box.**

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9. Consider A **Resolution Approving Final Payment For The Early Termination Costs Associated With The Village On The Parkway Lease Agreement For Visit Addison** In An Amount Not To Exceed \$272,922.02.

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10. Consider A **Resolution Authorizing The City Manager To Enter Into A Non-Exclusive Food And Beverage Vending Agreement With The Marriott Quorum And A Resolution Authorizing The City Manager To Enter Into A Non-Exclusive Food And Beverage Vending Agreement With Crown Plaza Hotels To Provide Food**

And Beverage Services To Event Patrons At Oktoberfest 2016.

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11. Consider A Resolution Authorizing The City Manager To Enter Into An Events Sponsorship Agreement With DCO Reality, Inc., For The Purposes Of Sponsoring Events At Vitruvian Park To Include, But Not Limited To, The Vitruvian Nights Live, Vitruvian Salsa Nights And The Vitruvian Holiday Lights Display In An Amount Not To Exceed \$185,000.00 For Fiscal Year 2016.
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12. Consider Approval Of A Bid Award To The Christmas Light Company, For The Installation, Maintenance And Removal Of The Holiday Lights For The Vitruvian Park Holiday Light Display In An Amount Not To Exceed \$146,000.00.
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Regular Items

13. Hold A Public Hearing, Present, Discuss, And Consider Action Regarding Approval Of An Ordinance Of The Town of Addison, Texas Approving And Adopting The Town's Annual Budget For The Fiscal Year Commencing October 1, 2016 And Ending September 30, 2017.

Interim Chief Financial Officer, Scott Neils, presented the item to Council. He presented a powerpoint presentation detailing the 2017 budget and how each fund balance would be affected.

Mayor Meier began the conversation with an update from City Attorney Brenda McDonald regarding the Mayor and Mayor Pro Tempore Arfsten discussing and voting on items concerning The Legacy Foundation. The City Attorney advised that in her research, she believes that both the Mayor and Mayor Pro Tempore Arfsten should both abstain from discussion and voting on the item concerning The Legacy Foundation.

Deputy Mayor Pro Tempore Hughes lead the discussion regarding The Legacy Foundation grant request. Council had discussion regarding the history of the idea to connect east and west Addison.

Councilmember Duffy made a motion to deny the request by The Addison Legacy Foundation. Councilmember Walden seconded the motion. The vote was cast 3-2 in favor of the motion.

With the motion to deny the request passing, Mayor Meier stated he had a new motion for consideration. Mayor Meier moved to direct

staff to set aside \$70,000 from the Hotel fund for this project. and create a public/private partnership with The Legacy Foundation and the \$70,000 is not given directly to The Legacy Foundation and kept separate with supervision of the City Manager over the project. Councilmember Wilcox seconded the motion.

Council discussed the motion.

Councilmember Wilcox moved to amend the motion to include that the \$70,000 not be spent until the \$30,000 is raised from The Legacy Foundation. Deputy Mayor Pro Tempore Hughes seconded the motion. The vote was cast 5-2 in favor of the amendment. Councilmembers Duffy and Walden voting against.

The original motion as amended was then taken as a vote. The vote was cast 4-3 in favor of the motion. Councilmember Angell, Duffy and Walden voting against.

Council recessed into a break at 9:40 pm.

Council reconvened into the meeting at 9:50 pm.

Council discussed the budget as presented with regards to fund balances, compensation, COLA funding, Infrastructure Fund balances and the effect on the taxpayer.

Mayor Meier opened the Public Hearing. There were no speakers. Mayor Meier closed the Public Hearing.

Councilmember Walden moved to approve Item #13 as submitted. Deputy Mayor Pro Tempore Hughes seconded the motion.

Mayor Meier moved that an amendment be added deleting the COLA payment for retirees and increase the Infrastructure Investment Fund to \$4.7 million immediately and to \$6 million by end of Fiscal Year 2017. Councilmember Wilcox seconded the amendment. The vote was cast 2-5 against the motion. Mayor Pro Tempore Arfsten, Deputy Mayor Pro Tempore Hughes and Councilmembers Angell, Duffy and Walden against.

Council discussed the failing amendment as stated above.

Councilmember Walden withdrew the original motion.

Councilmember Walden moved to approve Item #13 as submitted with the amendment of funding the Infrastructure Fund to have an ending balance of \$4.7 million as stated in option 1 of City Manager presentation as Council discussed. Councilmember Angell

seconded the motion. The vote was cast 5-2 in favor of the motion after the City Secretary took a roll call vote. Mayor Meier and Councilmember Wilcox voting against the motion.

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14. Hold A Public Hearing, Present, Discuss, And Consider Action Regarding Approval Of An **Ordinance Levying Taxes For The Town of Addison, Texas And Fixing And Adopting The Tax Rate For The Town On All Taxable Property For The Fiscal Year Beginning October 1, 2016 And Ending September 30, 2017.**

Mayor Meier opened the Public Hearing. There were no speakers for the item. Mayor Meier closed the Public Hearing.

Mayor Pro Tempore Arfsten moved to approve Item #14. Councilmember Duffy seconded the motion.

Council discussed the item and the considerations taken to make the decision of the tax rate.

The vote was cast 5-2 in favor of the motion after the City Secretary took a roll call vote. Mayor Meier and Councilmember Wilcox voting against the motion.

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15. Present, Discuss, And Consider Action Regarding An **Ordinance Ratifying The Property Tax Increase Reflected In The Town's Annual Budget For The Fiscal Year Commencing October 1, 2016, And Ending September 30, 2017.**

Mayor Pro Tem Arfsten moved to approve the Item as submitted. Councilmember Walden seconded the motion. The vote was cast 5-2 in favor of the motion. Meier and Wilcox voted against the motion.

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16. Hold A Public Hearing, Discuss, And Consider Action Regarding **Approval Of An Ordinance Amending An Existing Special Use Permit For A Restaurant And An Existing Special Use Permit For The Sale Of Alcoholic Beverages For On Premises Consumption Only On Property Located At 15175 Quorum Drive.** Case 1741-SUP/Arthur's Restaurant.

Assistant Director of Development Services, Charles Goff, presented the item to Council.

Council asked some clarifying questions in regards to the item.

Mayor Meier opened the Public Hearing. There were no speakers. Mayor Meier closed the Public Hearing.

Mayor Pro Tempore Arfsten moved to approve Item #16 as submitted. Deputy Mayor Pro Tempore Hughes seconded the motion. The vote was cast 7-0 in favor of the motion.

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17. Hold A Public Hearing, Discuss And Consider Action Regarding Approval Of An Ordinance **Rezoning The Property Located At 4021 Belt Line, Suite 302 In The Belt Line Square Shopping Center On The Northwest Corner Of Belt Line Road And Runyon Road, Which Is Currently Zoned LR, Local Retail, By Approving A New Special Use Permit For A Restaurant And A New Special Use Permit For The Sale Of Alcoholic Beverages For On-Premises Consumption Only**. Case 1744-SUP /K Grill.

Assistant Director of Development Services, Charles Goff, presented the item to Council.

Council asked some clarifying questions regarding the location and type of restaurant coming into the location.

Mayor Meier opened the Public Hearing. There were no speakers. Mayor Meier closed the Public Hearing.

Councilmember Angell moved to approve item #17 as submitted. Councilmember Wilcox seconded the motion. The vote was cast 7-0 in favor of the motion.

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18. Present, Discuss And Consider Action Regarding A **Resolution Amending And Restating An Incentive Agreement With Beltline Beltway Investments, Ltd. And Urban Intownhomes, LLC For The Addison Grove Redevelopment Project At 4150 Belt Line Road Commonly Known As The Former Sam's Wholesale Club Property And Authorizing The City Manager To Execute The Amended Contract**.

Deputy Mayor Pro Tempore Hughes moved to approve Item #18 as submitted. Councilmember Duffy seconded the motion. The vote was cast 6-1 in favor of the motion. Mayor Meier voting against.

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19. Present, Discuss And Consider Action Regarding Approval Of **A Resolution Authorizing The City Manager To Enter Into A Commercial Real Estate Broker Services Agreement With CBRE, Inc. For The Lease Or Sale Of Properties Owned By The Town of Addison Located At 4460 And 4500 Belt Line Road.**

Director of Economic Development, Orlando Campos, presented the item to Council. Council discussed the item.

Mayor Pro Tempore Arfsten moved to approve the item as submitted. Deputy Mayor Pro Tempore Hughes seconded the motion. The vote was cast 7-0 in favor of the motion.

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20. Present, Discuss And Consider Action Regarding A Resolution **Approving An Interlocal Agreement With The City Of Carrollton, Texas For The Provision Of Jail Services To Addison Arrestees.**

Chief of Police, Paul Spencer, presented the item to Council. Council discussed the item as presented and asked clarifying questions.

Deputy Mayor Pro Tempore Hughes moved to approve Item #20 as submitted. Councilmember Angell seconded the motion. The vote was cast 7-0 in favor of the motion.

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21. Present, Discuss And Consider Action Regarding Approval Of A **Resolution Approving An Interlocal Agreement With The North Central Texas Council of Governments For The Provision Of Electronic Warrant Payment Services For Addison Municipal Court.**

Chief of Police, Paul Spencer, presented the item to Council. Council discussed the item and asked clarifying questions.

Councilmember Angell moved to approve Item #21 as submitted. Mayor Pro Tempore Arfsten seconded the motion. The vote was cast 7-0 in favor of the motion.

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23. Present, Discuss, Consider Approval Of A **Resolution To Amend The Finance Committee Bylaws.**

Mayor Pro Tempore Arfsten moved approval of Item #23 as submitted. Deputy Mayor Pro Tempore Hughes seconded the motion. The vote was cast 7-0 in favor of the motion.

Adjourn Meeting

Mayor Meier adjourned the meeting at 11:19 pm.

NOTE: The City Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (purchase, exchange, lease or value of real property); §551.074 (personnel or to hear complaints against personnel); §551.076 (deployment, or specific occasions for implementation of security personnel or devices); and §551.087 (economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

Mayor-Todd Meier

Attest:

City Secretary-Laura Bell